

Message Text

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ACTION EUR-12

INFO OCT-01 EURE-00 ISO-00 PM-04 SP-02 L-03 NSC-05 INR-07

CIAE-00 SCCT-01 SY-05 IO-13 TRSE-00 SAM-01 ACDA-07

SS-15 PA-01 PRS-01 USIA-06 /084 W

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P R 121047Z AUG 76

FM AMEMBASSY LISBON

TO SECSTATE WASHDC PRIORITY 8185

INFO AMEMBASSY BONN

AMEMBASSY LONDON

AMEMBASSY MADRID

AMEMBASSY MOSCOW

AMCONSUL OPORTO

AMEMBASSY PARIS

AMCONSUL PONTA DELGADA

USMISSION NATO

DIA WASHDC

USCINCEUR VAIHINGEN GER

C O N F I D E N T I A L LISBON 5476

E.O. 11652: GDS

TAGS: PINT, PO

SUBJ: SPINOLA RELEASED

REF: LISBON 5463 (DTG 111727Z AUG 76)

SUMMARY: PENDING FURTHER INVESTIGATION, SPINOLA WAS RELEASED DURING EARLY MORNING HOURS OF AUG 12. THE PRESIDENT, SPEAKING THROUGH THE ARMED FORCES GENERAL STAFF, HAS LET IT BE KNOWN TO ALL, INCLUDING BOTH SPINOLA AND THOSE WISHING TO MAKE AN ISSUE OF HIS RELEASE, THAT THE AUTHORITIES WILL TOLERATE NO NONSENSE. END SUMMARY.

1. SPINOLA RELEASED: FORMER PRESIDENT SPINOLA WAS RELEASED DURING THE EARLY MORNING HOURS OF AUG 12. THE ARMED FORCES GENERAL STAFF RELEASED A NOTE SHORTLY THERE-
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AFTER MAKING THE FOLLOWING POINTS:

-- INTERROGATION OF SPINOLA FAILED TO PRODUCE SUFFICIENT EVIDENCE OF HIS IMPLICATION IN MARCH 11 EVENTS -- THE ONLY PENDING CHARGES -- TO JUSTIFY CONTINUED DETENTION.

-- OTHER ALLEGATIONS, INCLUDING THOSE RELATED TO ACQUISITION OF ARMS FOR ILLEGAL PURPOSES AND ASSOCIATION WITH THE MDLP, WERE NOT CONSIDERED SINCE FORMAL CHARGES HAVE NOT YET BEEN BROUGHT.

-- THE RESPONSIBLE MILITARY AUTHORITIES HAVE BEEN INSTRUCTED TO MAKE THE APPROPRIATE INVESTIGATIONS OF THESE ALLEGATIONS TO DETERMINE SPINOLA'S RESPONSIBILITY.

-- GIVEN THE LACK OF EVIDENCE TO SUBSTANTIATE PENDING CHARGES, THERE WAS NO LEGAL BASIS TO HOLD SPINOLA; THEREFORE, HE WAS RELEASED.

-- SEPARATION OF POWERS AND THE STRICT OBSERVANCE OF LEGALITY ESTABLISHED BY THE CONSTITUTION MUST BE PRESERVED. VIGILANCE TO PREVENT THE DISTURBANCE OF PUBLIC ORDER OR THE DESTRUCTION OF DEMOCRATIC FORMS WILL CONTINUE.

2. REACTIONS: SPINOLA REMAINS THE NUMBER ONE ITEM OF PUBLIC ATTENTION DESPITE EFFORTS BY THE GOVERNMENT AND THE AUTHORITIES TO DOWNPLAY HIS RETURN. A SMALL ANTI-SPINOLA DEMONSTRATION WAS HELD IN LISBON EVENING AUG 11 BY THE MINUSCULE INTERNATIONALIST COMMUNIST LEAGUE (LCI). ANOTHER SPONSORED BY THE GDUP "POPULAR POWER" FORCES IS SCHEDULED FOR AUG 13. THE AUTHORITIES HAVE INDICATED THEY WILL TOLERATE NO NONSENSE. THE SHOW OF FORCE MENTIONED IN REFTEL WAS STAGED AUG 11; A COLUMN OF COMMANDOS IN ARMORED CARS DROVE THROUGH THE LISBON AREA.

3. COMMENT: THE RELEASE OF SPINOLA WAS EXPECTED. THE RESPONSE FROM THE LEFT WAS ALSO PREDICTABLE. THE AUTHORITIES HAVE LET IT BE KNOWN TO ALL, INCLUDING BOTH SPINOLA AND THOSE WISHING TO MAKE AN ISSUE OF HIS RELEASE, THAT THEY WILL NOT ALLOW THE SITUATION TO GET OUT OF CONTROL.

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